

March 29, 1976

SENATOR BARNETT: I move to advance LB 464 as amended.

PRESIDENT: Discussion. All in favor say aye. Contrary say nay. The bill is advanced.

CLERK: Now, Mr. President, LB 799, the first amendment on the bill is offered by Senator Koch. Read amendment. See page 1451, Journal. Mr. President, Senator Koch corrects that last line to read " but confirmed by a majority vote of the Legislature."

SENATOR KOCH: Mr. President, members of the body, this gets back to an issue discussed a week ago in terms of the responsibility of the Executive Committee as opposed to the responsibility of the body as a whole. Frankly, I believe that the Executive Committee should have the prerogative of appointment as it affects this body but the history of anything we do in this body is generally by confirmation of the body, even the Governor's appointments. Therefore, I think that when I offer this amendment it is not without background and purpose. It gets back to something Senator Stull was alluding to and others on this floor and I think with this amendment that the bill will be appealing to most of us, the fact that we will be a part of decision making as it affects the top officers of this body. It also makes it uniform with the section of our statute which is in section 52 where presently this body does have a vote in terms of affirmation of certain officers of the Legislature. So in my mind, at least, we are merely harmonizing this legislation with that which we already have on the books as it pertains to the Clerk, who is an officer of the body as well. I ask your acceptance of this amendment to LB 799.

PRESIDENT: Senator Murphy.

SENATOR MURPHY: I would renew my argument of the other day. We are going to select a man, who, in effect, is going to be the active Director for the Legislative Council. He is going to have duties that are tantamount to the total power of the Executive Board subject, of course, to their confirmation but I think this body very deliberately and very carefully should select that man ahead of time, not afterwards. Once again, I would say to you, which of the three announced candidates would you like to have the Board select and then you, in turn, vote down or would you prefer in advance to have the Board say there are these candidates. Which of them does this Legislature prefer, and I think certainly the alternative we now have is much preferable to doing something after the fact. After the fact could be a year from now. I think it is unfortunate that this body goes to the trouble it does to elect an Executive Chairman of that group and yet would decline to make that same preselection of the man who really is going to be the Executive, the effective, the active manager of the Legislative Council when we are not in session. I would oppose this amendment.